WP(C) 5517/2006
BEFORE
THE HON'BLE MR JUSTICE D. BISWAS, CHIEF JUSTICE(ACTG.)
THE HON'BLE MR JUSTICE B.D.AGARWAL

Heard Mr MR Pathak, learned State counsel, Tripura.

2. It is submitted that notice on the 3rd respondent has already been served and that filling up of the pond has been stopped as per status-quo order of this Court.

3. Mr Pathak also produced before this court the copies of the proceedings pending before the court of the Deputy Collector & Magistrate, Sadar, Revenue Circle, Agartala.

4. The documents submitted indicate that a proceedings u/s 20 of the TLR & LR Act, 1960 has been initiated by the Deputy Collector and show cause notice has already been issued to the third respondent as well as others. From the order dated 29.7.2006 passed by the Deputy Collector it appears that a diversion permission was issued in favour of 3rd respondent on 6.5.2006 for an area measuring 0.06 acres in C.S. plot No.6473/48552 under mouza Agartala sheet No.8 appertaining to Khatian No.27853. The said order further reveals that the 3rd respondent initiated steps to divert the entire pond measuring 0.36 acres and had in reality already diverted 75%.

5. In view of above, we consider that it would be appropriate to leave the matter to the Deputy Collector, Agartala to decide the controversy in the proceedings already initiated by him expeditiously maintaining the status-quo in respect of the pond till disposal of the proceedings as already ordered by this Court on 21.12.2006.

6. The Deputy Collector shall implead the purchasers of the land before final decision is rendered.

7. The writ petition is disposed of with direction to the Deputy Collector, Agartala to dispose of the proceedings in the manner as indicated above.